



## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68095

Kazumi NAITO

Appln. No.: 10/043,102

Group Art Unit: 1742

Confirmation No.: 6751

Examiner: Ngoclan Thi MAI

Filed: January 14, 2002

For: NIOBIUM POWDER, SINTERED BODY THEREOF AND CAPACITOR USING THE SAME

### SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Abraham J. Rosner".

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Abraham J. Rosner  
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WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: February 23, 2005

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**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SHOWA DENKO K.K., represents that the petitioner, SHOWA DENKO K.K. is the owner of the entire right, title and interest of U.S. Application No. 09/636,638, filed on August 11, 2000 for NIOBIUM POWDER, SINTERED BODY THEREOF AND CAPACITOR USING SAME by virtue of an Assignment from all of the inventors thereof executed on August 7, 2000, recorded on August 11, 2000 at Reel 011036, Frame 0602, now issued as U.S. Patent 6,600,646 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/043,102 by virtue of an Assignment from all of the inventors thereof executed on January 4, 2002, recorded on January 14, 2002, at Reel 013049, Frame 0993.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/043,102 which would extend beyond the expiration of the full

TERMINAL DISCLAIMER  
U.S. Application No. 10/043,102

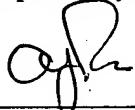
Q68095

statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,600,646, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/043,102 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,600,646 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/043,102, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/043,102 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/043,102 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,600,646 in the event that U.S. Patent 6,600,646 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.

Respectfully submitted,



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Abraham J. Rosner  
Registration No. 33,276

Date: February 23, 2005